

IN THE UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)) No. 3:07-CR-64
 v.)) (PHILLIPS/GUYTON)
)
 ANDREA MARIA YOUNG,))
)
 Defendant.))

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court on the defendant's *pro se* Motion to Withdraw Guilty Plea. [Doc. 17] The defendant moves the Court to allow her to withdraw her guilty plea in this matter.

The Court notes that the defendant is represented by attorney Bruce Poston. Because the defendant is represented by counsel, the Court finds that her motion violates Local Rules of the United States District Court for the Eastern District of Tennessee, LR 83.4 Appearance and Withdrawal of Counsel, which provides, in relevant part:

(c) Representation *Pro Se* After Appearance by Counsel

Whenever a party has appeared by attorney, that party may not thereafter appear or act in his or her own behalf in the action or proceeding, unless an order of substitution shall first have been made by the court, after notice by the party to the attorney and to the

opposing party. However, the court may, in its discretion, hear a party in open court, notwithstanding the fact that the party is represented by an attorney.

This Court will not proceed on the merits of a substantive motion filed *pro se* so long as the defendant is represented by counsel. Accordingly, the defendant's motion to withdraw guilty plea [Doc. 17] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge